

Central Coast Regional Water Quality Control Board

June 24, 2022

Christopher Hakes
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118
Email: chakes@valleywater.org

VIA ELECTRONIC MAIL

Reg. Measure ID: 447910
Place ID: 881517

Dear Christopher Hakes:

NOTICE OF APPLICABILITY FOR PHASE 2 GEOTECHNICAL INVESTIGATIONS FOR THE PACHECO RESERVOIR EXPANSION PROJECT, PROJECT NO. 34322WQ03

On May 23, 2022, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) received Santa Clara Valley Water District's Notice of Intent (NOI) to enroll the Phase 2 Geotechnical Investigations for the Pacheco Reservoir Expansion Project (Project) under the *General Order for Clean Water Act Section 401 Water Quality Certification Action, Order No. WQ-2021-0048-DWQ* for State Water Board Certification and Denial of the Corps' Nationwide Permits (referred to as "General Order" hereafter).

The Project will discharge to Pacheco Reservoir and Pacheco Creek. Central Coast Water Board staff understands that the Project includes the following activities:

1. Installation of 41 geotechnical borings below the full pool line within the existing reservoir, one additional boring in riparian wetland downstream of the existing North Fork Dam within North Fork Pacheco Creek, and up to five additional borings within the existing reservoir as a contingency if necessary to collect additional data. Eleven of the borings would include installation of piezometers to monitor groundwater.
2. Backfilling of the boreholes with grout up to about 12 inches below the surface, with the remaining upper 12 inches backfilled with clean native soil.
3. Installation of approximately 2,500 feet of seismic refraction lines and 1,500 feet of electrical resistivity line associated with the proposed dam, and an additional 2,800 feet of either seismic refraction and/or electrical resistivity lines for the channel restoration component.
4. Excavation and backfill of four test pits approximately 3 feet by 20 feet within the existing reservoir to expose soil profiles.
5. Restoration to pre-activity contours and hand seeding with a native seed mix.

Central Coast Water Board staff has reviewed your NOI for the Project. The Central Coast Water Board Executive Officer is issuing this Notice of Applicability (NOA) authorizing the Project under the General Order.

Authorized Impacts: Excavation/fill activities authorized by this NOA are limited to (1) 0.004 acre / 72 linear feet of temporary impacts to seasonal wetland; (2) 0.002 acre / 31 linear feet of

temporary impacts to lakebed; and (3) 0.007 acre / 28 linear feet of permanent impacts to seasonal wetland.

Additional Requirements: You must comply with all conditions of the General Order, including the following requirements:

1. Pursuant to section VI.D.4 of the General Order, you must implement the Project in conformance with the information provided in your NOI. Any changes to the Project design as described in the NOI must be reported to the Central Coast Water Board. Approval from the Central Coast Water Board must be obtained before the changes are implemented.
2. In addition to the conditions of Order No. WQ-2021-0048-DWQ, you must comply with the best management practices (BMPs) and other commitments submitted in association with your NOI, including:
 - a. If needed to maintain open boreholes, installing steel pipe casing extended downward from the ground surface to contain all circulated drill fluid within the boreholes.
 - b. Pumping drilling fluids into a closed system settling tank to prevent spills or contamination.
 - c. At the completion of operations, pumping any remaining drill fluids into a storage tank and disposing the fluids at an approved off-site disposal facility.
 - d. Removal of all metal stakes and electrical cords used for seismic refraction and electrical resistivity surveys following the work.
 - e. Placement of spoils from test pits into a dump truck; spoils will not be stockpiled in the reservoir.
 - f. Excavation of test pits after the reservoir bottom is completely dry and groundwater levels have receded.
 - g. Replacement of two California bay-laurel trees at a 3:1 ratio by planting six California bay-laurel and/or coast live oak trees.

Reporting Requirements:

1. Pursuant to section VI.E.3.a of the General Order, you must submit a Commencement of Construction notification to the Central Coast Water Board at least seven days prior to start of initial ground disturbance activities.
2. Pursuant to section VI.E.3.b of the General Order, you must submit a Request for Notice of Project Complete letter within 30 days following completion of all Project activities. Upon approval of the request, the Central Coast Water Board shall issue a Notice of Project Complete Letter to the discharger. Annual fees will be terminated concurrent with the date of the Project Complete Letter.

The total application fee for this Project is \$2,417. The remaining application fee payable to the Central Coast Water Board is \$0. Annual fees may apply.

If you have questions, please contact **Mark Cassady** at (805) 549-3689 or via email at Mark.Cassady@waterboards.ca.gov, or Diane Kukol at (805) 542-4637.

Sincerely,

for
Matthew T. Keeling
Executive Officer

cc:

Todd Sexauer, Santa Clara Valley Water District: tsexauer@valleywater.org

Katerina Galacatos, U.S. Army Corps of Engineers: Katerina.galacatos@usace.army.mil

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